

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 14490 of J.C. Associates (the "Applicant"), pursuant to Sub-section 8207.2 of the Zoning Regulations, for a special exception under Paragraph 4101.44 to convert an existing rooming house and an apartment house into professional offices in an SP-1 District at premises 1523-1525 -16th Street, N.W., (Square 194, Lots 814 and 815).

HEARING DATE: October 8, 1986
DECISION DATE: November 5, 1986

FINDINGS OF FACT:

1. The property is located on the east side of 16th Street between Church and Q Streets, N.W. and is known as premises 1523-1525 16th Street, N.W. The property is located in a SP-1 District.
2. The site is rectangular in shape and has a land area of 4,845 square feet. The site has a 47.8 feet frontage on 16th Street and a depth of 100 feet.
3. The site is improved with two three-story plus basement brick row dwellings. Both row dwellings are presently vacant. The previous use of the structure at 1523 16th Street, was an apartment building. The previous use of 1525 16th Street, was as a rooming house.
4. The Applicant proposed to renovate the two structures as a single building and convert it to SP Office use permitted under Paragraph 4101.44 of the Zoning Regulations. No exterior modifications are proposed.
5. The immediate area surrounding the site is characterized by a mixture of high rise office buildings, townhouses converted to office use, a hostelry, churches, medium rise apartment buildings, and a number of single family residences which have been converted to multi-family use.
6. The property is located within the boundaries of the 16th Street Historic District. The structures on the site, constructed in 1882 and 1901, have been determined by the Historic President Review Board, to contribute to the character of the Historic District.
7. The total gross floor area of the combined structures is 12,107 square feet. The Applicant estimates

that renovation as proposed will provide for a configuration of space which would accommodate approximately forty five employees at 250 square feet per employee.

8. There are no parking spaces provided on the site and the Applicant does propose to provide parking. Several commercial parking facilities are located in the immediate area of the Dupont Circle Metro Station, and Metro bus routes serve the area.

9. By memorandum dated October 1, 1986, the Office of Planning (OP) recommended denial of the application. The OP reported that the Applicant's proposed occupancy rate of one employee per 250 square feet of space is quite generous, and would result in 45 employees. A range of 200 to 250 square feet would be used as a more conservative measure. This would give a range of 45 to 60 employees who would be commuting to the site on a daily basis. The OP is of the opinion that this is an excessive number of office workers to add to the street load in this location. Some overspill parking on neighborhood streets is inevitable, and in a neighborhood where the substantial mixture of nonresidential uses already adds to congestion on residential side streets and competition for limited on-street and off-street parking.

The Office of Planning is of the opinion that the Applicant has an obligation to do more for parking than to note the existence of continuing commercial parking lots in general vicinity. If the parking lots are developed, as many have been in recent years, no off-street parking would be provided at all.

OP noted that the abutting property to the north across the alley is residential in use, as are properties directly across 16th Street. The interior of the subject Square is predominantly residential. To the south is one nonresidential property, then residential use again to the south of Church Street. Many areas along 16th Street have been converted to or developed with office space, leaving only pockets of housing in this portion of the Street remain predominantly housing in use.

It is not the apparent purpose of the SP Districts to become entirely nonresidential in use. The OP quoted the preamble to the SP Districts (Sub-section 4101.1) the SP District is designed to stabilize those areas adjacent to C-3-C and C-4 Districts and other appropriate areas which contain existing apartments, offices, institutions, and mixed use buildings... The District of Columbia is designed to preserve and protect areas adjacent to commercial Districts which contain a mix of row houses, apartments, offices and institutions..."

In the opinion of the Office of Planning, the remaining housing on this portion of 16th Street is becoming so sparse

that the loss of two residential buildings having more than 12,000 square feet of interior living space violates the intent of the SP District "to preserve and protect areas... which contain a mix of row houses, apartments, offices and institutions..." In this SP-1 District the mix of uses is already tilted strongly towards the office institutional.

The Board concurs with the OP.

10. Advisory Neighborhood Commission (ANC) 2B, offered a letter into the record at the public hearing. The written report was not timely filed, and no good cause was given for a waiver of the rules. The Board ruled that the written report would not be accepted into evidence.

11. A representative of the ANC, the Dupont Circle Citizen's Association, the Residential Action Coalition and council member John A. Wilson testified and/or submitted letters to the record in opposition to the application. Persons or parties wishing to testify in support of or in opposition to the application were given an opportunity to do so.

CONCLUSIONS OF LAW AND OPINION:

Based on the evidence of the record, the Board concludes that the Applicant is seeking a special exception to convert two vacant buildings formerly occupied as a rooming house and apartment house into offices for an international organization, engineer, lawyer, or other similar professional persons. The Board may grant an application for such a use provided that it meets the requirements of Paragraph 4101.44 and Sub-section 8207.2 of the Zoning Regulations.

The Board concludes that the Applicant has not complied with the requirements of the Zoning Regulations. Although the use, height, bulk, and design of the structure are in harmony with other uses and structures in the neighborhood, the intensity of the proposed use and the lack of parking at the site will create dangerous or other objectionable traffic conditions. The Board further concludes that the proposed use will not be in harmony with the general purpose or intent of the Regulations and Map and that the use will tend to affect adversely the use of neighboring property.

Accordingly, it is hereby ORDERED that the application is DENIED.

VOTE: 4-0 (Maybelle T. Bennett, Paula L. Jewell, William F. McIntosh and Carrie L Thornhill to deny; Charles

R. Norris not voting, not having heard the case)

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY:


EDWARD L. CURRY
Acting Executive Director

FINAL DATE OF ORDER: JUN 2 1987

UNDER SUB-SECTION 8204.3 OF THE ZONING REGULATIONS, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

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